

Claims 1-17 and 19-28 are now pending in this application. Claims 1-28 stand rejected. Claim 18 has been cancelled.

Applicant notes the objections to the drawings. Submitted herewith is a request for approval of drawing changes. Specifically, the request addresses the issues noted in the Office Action. Applicant respectfully requests approval of the indicated drawing changes. Upon approval of the drawing changes, Applicant will submit substitute drawings incorporating the above-noted changes.

For the reasons set forth above, Applicant requests that the objections to the drawings be withdrawn.

The rejection of Claim 7 under 35 U.S.C. § 112, second paragraph, is respectfully traversed. Amended Claim 7 addresses the antecedent issues noted in the Office Action.

For the reasons set forth above, Applicants respectfully request that the Section 112 rejection of Claim 7 be withdrawn.

The rejection of Claims 1, 2, 4, 5, 8-11, 13-15, 22-26, and 28 under 35 U.S.C. § 102(e) as being anticipated by Goldhaber et al. (U.S. Patent No. 5,855,008) is respectfully traversed.

Goldhaber et al. describe a system for brokering the attention of consumers (see Column 4, lines 46-50). The system uses a database of digitally stored electronic demographic profiles of potential viewers (members), the databases are private, dynamic and interactive. The system is configured to protect member privacy, while at the same time maintaining personal information files that permit specialized targeting of ads (See Column 6, lines 30-35). Referring to Column 7, lines 2-5 of Goldhaber et al., it is indicated that an advertiser may pay for consumer names and addresses. Further, it is indicated at Column 12, line 45 to Column 13, line 13, that name, address, and telephone data is required from an individual (member) when generating a consumer database. Therefore, while Goldhaber et al. describe profile data (i.e. Gender, Age,

Ethnicity) as being separate from personal data (i.e. name, address, and telephone), all are stored in the described database.

Claim 1 recites a method for generating an anonymous data profile of an individual, where the method includes "administering to the individual a password," "utilizing the password to access a database," "refusing to accept contact information from the individual," "entering profile information about the individual in the database" and "storing the profile information from the individual in the database."

Goldhaber et al. do not teach nor suggest refusing to accept contact information from the individual (member). Rather, Goldhaber et al. describe a system which includes both personal data (contact information) and profile data. In addition, Goldhaber et al. teach away from the methods recited in Claim 1 since Goldhaber et al. recite that an advertiser may pay for consumer names and addresses.

For the reasons set forth above, Claim 1 is submitted to be patentable over Goldhaber et al.

Claims 2, 4, and 5 depend, directly or indirectly, from independent Claim 1. When the recitations of Claims 2, 4, and 5 are considered in combination with the recitations of Claim 1, Applicant submits that dependent Claims 2, 4, and 5 likewise are patentable over Goldhaber et al.

Independent Claim 8 recites a method for providing advertising feedback which includes the steps of "administering to each individual a password," "utilizing the password to access a database," "refusing to accept contact information from the individual," "entering profile information about the individual in the database," "storing the entered profile information in the database," "presenting at least one of the individuals with a set of data" and "receiving feedback from the at least one individual regarding the set of data."

Goldhaber et al. do not teach nor suggest refusing to accept contact information from the individual. Rather, Goldhaber et al. describe a system which includes both personal data (contact information) and profile data. In addition, Goldhaber et al. teach away from the methods recited in Claim 8 since Goldhaber et al. recite that an advertiser may pay for consumer names and addresses.

For the reasons set forth above, Claim 8 is submitted to be patentable over Goldhaber et al.

Claims 9-11 and 13-15 depend, directly or indirectly, from independent Claim 8. When the recitations of Claims 9-11 and 13-15 are considered in combination with the recitations of Claim 8, Applicants submit that dependent Claims 9-11 and 13-15 likewise are patentable over Goldhaber et al.

Independent Claim 22 recites a system for generating and controlling anonymous data sets via an electronic data communications network. The system includes "a control unit for coupling to the communications network," "a server coupled to said control unit and comprising a consumer generated data base for storing profile information relating to consumers, a marketer data base for storing information to be reviewed by consumers" and a processor which is programmed to "receive consumer generated data sets from consumers, said consumer generated data sets controlled by the consumers, each consumer generated data set including a set of individual characteristics, said processor further programmed to download said consumer generated data sets into said consumer generated data base," "receive information from marketers, said information controlled by said marketers, said processor further programmed to download said marketer generated data into said marketer data base," "said processor further programmed to compare said marketer generated data to each said consumer generated data set and if said marketer generated data is identified as matching one or more said individual characteristics of said consumer generated data sets, designating said marketer generated data for being communicated to the consumer."

Goldhaber et al. do not teach nor suggest a system which is programmed to build data sets as described in Claim 22. Rather, Goldhaber et al. describe a system which includes both personal data (contact information) and profile data. In addition, Goldhaber et al. teach away from the methods recited in Claim 22 since Goldhaber et al. recite that an advertiser may pay for consumer names and addresses.

For the reasons set forth above, Claim 22 is submitted to be patentable over Goldhaber et al.

Claims 23-26 and 28 depend, directly or indirectly, from independent Claim 22. When the recitations of Claims 23-26 and 28 are considered in combination with the recitations of Claim 22, Applicants submit that dependent Claims 23-26 and 28 likewise are patentable over Goldhaber et al.

For the reasons set forth above, Applicant respectfully requests that the Section 102 rejection of Claims 1, 2, 4, 5, 8-11, 13-15, 22-26, and 28 be withdrawn.

The rejection of Claims 3, 6, 7, 12, 16-21, and 27 under 35 U.S.C. § 103 as being unpatentable over Goldhaber et al. is respectfully traversed.

Goldhaber et al. is described above.

Claims 3, 6, and 7 depend from Claim 1 which is herein submitted to be patentable. Claim 1 recites a method for generating an anonymous data profile of an individual, where the method includes "administering to the individual a password," "utilizing the password to access a database," "refusing to accept contact information from the individual," "entering profile information about the individual in the database" and "storing the profile information from the individual in the database."

Goldhaber et al. do not teach nor suggest refusing to accept contact information from the individual. Rather, Goldhaber et al. describe a system which includes both personal data

(contact information) and profile data. In addition, Goldhaber et al. describe that personal data be obtained by outside entities, should the member agree to a request, the request accompanied by a purchase price offer for the personal data.

For the reasons set forth above, Claim 1 is submitted to be patentable over Goldhaber et al. Claims 3, 6, and 7 depend from independent Claim 1. When the recitations of Claims 3, 6, and 7 are considered in combination with the recitations of Claim 1, Applicant submits that dependent Claims 3, 6, and 7 likewise are patentable over Goldhaber et al.

Independent Claim 8 recites a method for providing advertising feedback which includes the steps of "administering to each individual a password," "utilizing the password to access a database," "refusing to accept contact information from the individual," "entering profile information about the individual in the database," "storing the entered profile information in the database," "presenting at least one of the individuals with a set of data" and "receiving feedback from the at least one individual regarding the set of data."

Goldhaber et al. do not teach nor suggest refusing to accept contact information from the individual. Rather, Goldhaber et al. describe a system which includes both personal data (contact information) and profile data. In addition, Goldhaber et al. describe that personal data be obtained by outside entities, should the member agree to a request, the request accompanied by a purchase price offer for the personal data.

For the reasons set forth above, Claim 8 is submitted to be patentable over Goldhaber et al. Claim 12 depends from independent Claim 8. When the recitations of Claim 12 are considered in combination with the recitations of Claim 8, Applicant submits that dependent Claim 12 likewise is patentable over Goldhaber et al.

Claim 16 recites an apparatus for conveying and storing information relating to anonymous data profiles. The apparatus includes "a first data repository," "a first computer linked to said first data repository, said first computer configured to communicate with said first

data repository via a password and provide a first set of information about an individual to said first data repository, the first set of information lacking information relating to a name, an address, a telephone number, and a social security number of the individual," "a processor programmed to communicate with said first data repository and said first computer," "a second data repository" and "a second set of computers linked to said second data repository, said second set of computers configured to provide a plurality of second sets of information to said second data repository, said first data repository separate from said second data repository, said processor further programmed to communicate with said second data repository and said second set of computers."

Goldhaber et al. do not teach nor suggest an apparatus which includes a first and second data repository which lacks information relating to a name, and address, a telephone number, and a social security number for an individual. Further, Goldhaber et al. do not teach nor suggest keeping the first data repository separate from the second data repository. Rather, Goldhaber et al. describe a system which includes both personal data (contact information) and profile data. In addition, Goldhaber et al. describe that personal data (i.e. name, address, telephone) can be obtained by outside entities, should the member agree to a request, the request accompanied by a purchase price offer for the personal data.

For the reasons set forth above, Claim 16 is submitted to be patentable over Goldhaber et al.

Claims 17-21 depend from independent Claim 16. When the recitations of Claims 17-21 are considered in combination with the recitations of Claim 16, Applicant submits that dependent Claims 17-21 likewise are patentable over Goldhaber et al.

Claim 27 depends from independent Claim 22. Independent Claim 22 recites a system for generating and controlling anonymous data sets via an electronic data communications network. The system includes "a control unit for coupling to the communications network," "a server coupled to said control unit and comprising a consumer generated data base for storing

profile information relating to consumers, a marketer data base for storing information to be reviewed by consumers" and a processor which is programmed to "receive consumer generated data sets from consumers, said consumer generated data sets controlled by the consumers, each consumer generated data set including a set of individual characteristics, said processor further programmed to download said consumer generated data sets into said consumer generated data base," "receive information from marketers, said information controlled by said marketers, said processor further programmed to download said marketer generated data into said marketer data base," "said processor further programmed to compare said marketer generated data to each said consumer generated data set and if said marketer generated data is identified as matching one or more said individual characteristics of said consumer generated data sets, designating said marketer generated data for being communicated to the consumer."

Goldhaber et al. do not teach nor suggest a system which generates data sets as described in Claim 22. Rather, Goldhaber et al. describe a system which includes both personal data (contact information) and profile data. In addition, Goldhaber et al. describe that personal data be obtained by outside entities, should the member agree to a request, the request accompanied by a purchase price offer for the personal data. Therefore, Claim 22 is submitted to be patentable over Goldhaber et al.

Claim 26 depends from independent Claim 22. When the recitations of Claim 26 are considered in combination with the recitations of Claim 22, Applicant submits that dependent Claim 26 likewise is patentable over Goldhaber et al.

For the reasons set forth above, Applicants respectfully request that the Section 103 rejection of Claims 3, 6, 7, 12, 16-21, and 27 be withdrawn.

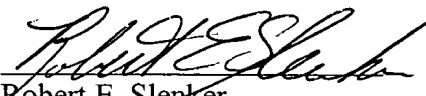
In addition, Applicant has received both a Written Opinion (PCT Rule 66) and an International Preliminary Examination Report (PCT Article 36 and Rule 70) from the PCT Receiving Office in the United States regarding International Application Number PCT/US00/29811. A copy of both are submitted herewith. The Written Opinion states that at

least Claims 18-28 are considered to meet the requirements of novelty, inventive step, and industrial applicability. Claim 18 in International Application Number PCT/US00/29811 corresponds to Claim 16 (as amended) in the present application. Further, Claims 17 and 19-28 correspond to Claims 17 and 19-28 in the present application.

The International Preliminary Examination Report further states that at least Claims 19-28 pending in International Application Number PCT/US00/29811 are considered to meet the requirements of novelty, inventive step, and industrial applicability. Applicants wish to note that the PCT Examining Authority is aware of the Goldhaber et al. patent (U.S. Patent No. 5,855,088) as it is cited in the International Preliminary Examination Report. Applicant respectfully requests the Office to reconsider its position with regard to the patentability of the Claims pending in the present application in light of the opinions rendered by the PCT examining authority.

In view of the foregoing amendments and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,


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Applicant: Fusz

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SUBMISSION OF MARKED UP PARAGRAPHS AND CLAIMS

Hon. Assistant Commissioner for Patents
Washington, D.C. 20231

In furtherance of the amendment in response to the Office Action dated January 15, 2002, submitted separately herewith, Applicant hereby submits marked up claims and paragraphs indicating the amendments made therein.

IN THE SPECIFICATION

Please amend the paragraph at page 2, line 29 to page 3, line 5 as follows:

In one embodiment, as shown in Figure 1, system 10 includes a web server 12, an application server 14, a database server 16, a directory server 18, a workflow server 20, and a mail server 22. A disk storage unit [24]25 is coupled to database server 16 and directory server 18 and provides a data repository for storing data pertaining to consumer generated anonymous

data and marketer generated data. Servers 12, 14, 16, 18, 20 and 22 are coupled in a local area network (LAN) 24. LAN 24 also includes a processor (not shown) programmed to communicate with servers 12, 14, 16, 18, 20, and 22.

Please amend the paragraph at page 3, lines 23-29 as follows:

Figure 2 is a block diagram of an alternative exemplary embodiment of a server architecture for a system 50 that gathers and utilizes consumer generated anonymous data. Components in system 50 identical to components of system 10 are identified in Figure 2 using the same reference characters as in Figure 1. System 50 differs from system 10 in that system 50 includes a fax server 52 coupled to LAN 24. Fax server 52 communicates with consumers via a telephone link 54. Also, in system 50 the mail server is incorporated into web server [22]12.

IN THE CLAIMS

Please cancel Claim 18.

1. (Once amended) A method for generating an anonymous data profile of an individual, said method comprising the steps of:

administering to the individual a password;

utilizing the password to access a database;

refusing to accept contact information from the individual;

entering profile information about the individual in the database; and

storing the profile information from the individual in the database.

7. (once amended) A method in accordance with Claim 1 wherein [said step of receiving information from the individual comprises the step of receiving] contact information

[excluding]includes at least one of a name, a social security number, a telephone number, and an address of the individual.

8. (Once amended) A method for providing advertising feedback, said method comprising the steps of:

administering to each individual a password;

utilizing the password to access a database;

refusing to accept contact information from the individual;

entering profile information about the individual in the database;

storing the entered [first set of]profile information in the database;

presenting at least one of the individuals with a [second]set of [information]data; and

receiving feedback from the at least one individual regarding the [second]set of [information]data.

16. (Once amended) Apparatus for conveying and storing information relating to anonymous data profiles, said apparatus comprising:

a first data repository;

a first computer linked to said first data repository, said first computer configured to communicate with said first data repository via a password and provide a first set of information about an individual to said first data repository, the first set of information lacking information relating to a name, an address, a telephone number, and a social security number of the individual;

a processor programmed to communicate with said first data repository and said first computer;

a second data repository; and

a second set of computers linked to said second data repository, said second set of computers configured to provide a plurality of second sets of information to said second data repository, said first data repository separate from said second data repository, said processor further programmed to communicate with said second data repository and said second set of computers.

19. (Once amended) Apparatus in accordance with Claim [18]~~16~~ wherein said second set of computers cannot access said first data repository.

20. (Once amended) Apparatus in accordance with Claim [18]~~16~~ wherein said processor is further programmed to screen the second set of information and grant access to the screened second set of information by the first computer if the screened second set of information includes at least one attribute compatible with at least one attribute in the first set of information.

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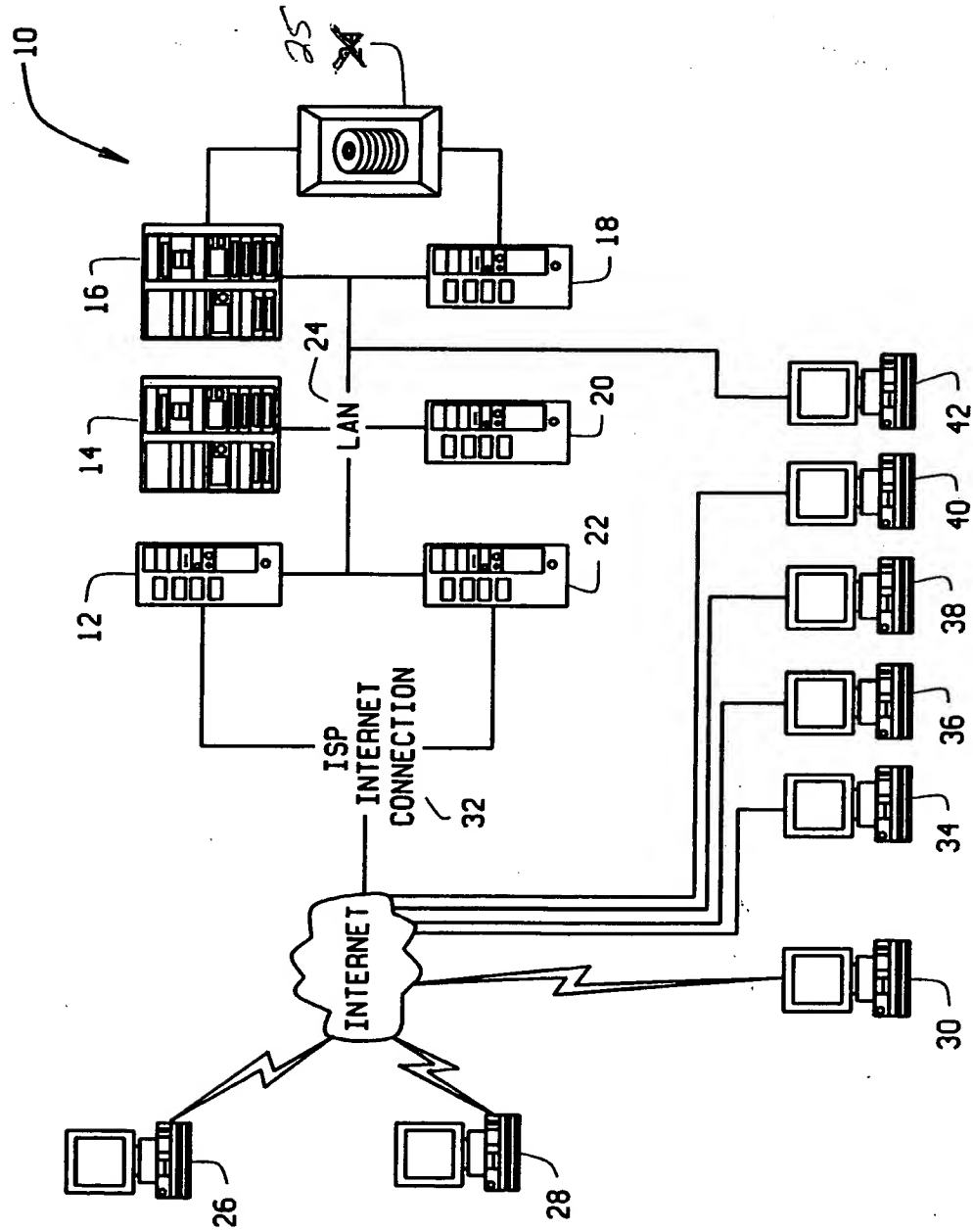


FIG. 1

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